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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,315	06/22/2000	Jarmo Saari	602.323USW1	8612

32294 7590 07/12/2005

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EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/599,315

Applicant(s)

SAARI, JARMO

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammer et al. (U.S. Patent 5,218,713) in view of Beckle et al. (U.S. Patent 5,153,909).

As to claim 14, Hammer et al. teach an interprocess data transfer in which processes transmit messages between themselves in order to provide services between processes (col. 3, lines 52-68) and in which a first process (process A) requests a service from a second process (process B) (col. 4, lines 51-68), starts providing the service to the first process and terminates the service when a predetermined condition is fulfilled (col. 5, lines 52-60), wherein the procedure further comprises: receiving with the second process from the first process a service request comprising service parameters (col. 4, lines 52-55 and col. 5, lines 38-39); saving the service parameters (col. 5, lines 1-2 and col. 7, lines); a copy of data from the sender (first process) is available in sender's storage for reuse later (col. 8, lines 22-26 and col. 9, lines 6-9); for example, the first process wishes the service to be continued without any service parameters since the service parameters is available for reuse stored in the storage.

Hammer et al. do not teach receiving with the second process from the first process a notification that the requested service concerns a service to be refreshed.

Beckle et al. teach the automatic call distributor (ACD) system arrangement for providing resource control and call event data processing services for a plurality of ACD systems. A control processor complex (CPC) and a special Event and Control Link Processor (ECL) ("second process") provides end-user call event data processing and requested resource allocation changes services to one or more management information system (MIS) processors ("first process") (Abstract, lines 5-20 and col. 2, lines 23-33); refreshing the service when the first process wishes the service to be continued (col. 5, line 57 through col. 6, line 27 – keep alive protocol messages); Beckle et al. further teach an originator of a keep alive message sets a loop flag to false or zero value and sends the message to a receiver (col. 5, line 67 through col. 6, line 2) reads on claims "...a notification that the requested service concerns a service to be refreshed".

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of notifying that the requested service concerns a service to be refreshed, as taught by Beckle, in Hammer's system thus providing resource control and data handling systems by periodically executing a handshaking protocol and notifying that the requested service concerns a service to be refreshed to ensure that the virtual link is still operative, as taught by Beckle (col. 2, lines 33-38).

As to claim 15, Hammer et al. teach the service parameters are saved and retrieved if needed (col. 4, lines 46-55 and col. 5, lined 38-46).

Claim 16 and 19 are rejected for the same reasons as discusses above with respect to claims 14 and 15.

As to claim 17, Beckle et al. teach the service is refreshed at predetermined time intervals (col. 6, lines 13-27).

As to claim 18, Beckle et al. teach the service is removed ("rejected") in a failure situation ("the message is not in the correct format") occurring in the telephone exchange system (col. 7, lines 16-23).

Response to Arguments

3. Applicant's arguments filed 4/26/05 have been fully considered but they are not persuasive.

Applicant argues that "the present invention enable the refreshment of a service at any time. Refreshment of a service may be performed even when the service is not in use. In failure and overload conditions, services may be removed and reintroduced in a simplified manner. Further, the service also may be refreshed while the service is being used." Examiner respectfully submits that the above arguments are not recited in the claims.

Applicant argues, "even though the service parameters may be stored according Hammer, the feature of a second process receiving a service refresh request is not disclosed or suggested". First of all, Examiner respectfully submits that the general, generic, and basic limitations such as "first process", "second process" is being used throughout the application especially in the claims; however, Applicant's specification

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does not have any examples showing what exactly the process is. Secondly, Hammer teaches establishment of connections for passing of information between processes (col. 4, lines 38-40), i.e., first process, second process, requesting a work request (a command and its parameters) for sending and receiving messages over connection between processes (col. 4, lines 46-55), and the IPCF offers the processes several options for the handling the data access control function so that the sender's storage is available for reuse immediately (col. 8, lines 4-26), hence a second process receiving a service request from the first process or one process receiving a service request from the other process. The missing feature "refreshing the service" in Hammer is filled in by the secondary reference Beckle, as discussed in claim 1, hence the combination of the two references teach the claims invention.

With respect to Applicant's remarks on page 6 second paragraph, "tone or more management information system (MIS) processors" should be -- to one or more management information system (MIS) processors --. Examiner apologizes for the harmless typographical error.

Examiner agrees with Applicant's argument that "the heartbeat messages are not used to refresh a service but are used to monitor the status of the event message links". The "keep alive" messages periodically execute the keep alive handshaking protocol to ensure that the virtual link is still operative.

Applicant argues that Beckle fail to disclose a second process and a first process. Examiner respectfully disagrees. This is a 103 rejection and the primary

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reference Hammer teaches the second process (process B) and the first process (process A).

Furthermore, it is believed that the claims are so broad such that many references with different interpretations may be applied against the claimed invention. The general, generic, and basic limitations such as "first process", "second process", "procedure", and "service" may read on many features.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-

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7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

qhn

Quynh H. Nguyen
July 7, 2005

Harry S. Hong

**HARRY S. HONG
PRIMARY EXAMINER**